

Solicitation Amendment

Arizona Dept. of Commerce

SOLICITATION NO.: Q045-07

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1700 W. Washington, Suite B32

AMENDMENT NO.: 1

OF
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Phoenix, Arizona 85007

SOLICITATION TITLE: **Community Energy Planning Grant Program**

SOLICITATION DUE: May 8, 2007 AT 5:00 P.M. PHOENIX LOCAL TIME

Proposal Opening: Arizona Dept. of Commerce
1700 W. Washington, Suite B-32
Phoenix, Arizona 85007

A SIGNED COPY OF THIS AMENDMENT SHALL BE RECEIVED AT THE ABOVE AGENCY LOCATION (PREFERABLY WITH THE SOLICITATION RESPONSE) PRIOR TO THE DUE DATE AND TIME. IT IS NECESSARY TO RETURN THIS FORM ONLY IF YOU ARE RESPONDING TO THE SOLICITATION. THIS SOLICITATION IS AMENDED AS FOLLOWS:

1. Page 14, item IV Budget Creativity for Energy and Implementation Plan, section B:

CHANGED FROM: How much funding assistance are you requesting? Remember, there is a \$10,000 maximum for the Department of Commerce grant.

TO: How much funding assistance are you requesting? Remember, there is a \$15,000 maximum for the Department of Commerce grant.

ALL OTHER PROVISIONS OF THE SOLICITATION SHALL REMAIN IN THEIR ENTIRETY.

VENDOR HEREBY ACKNOWLEDGES RECEIPT AND
UNDERSTANDING OF THE ABOVE AMENDMENT.

THE ABOVE REFERENCED SOLICITATION
AMENDMENT IS ISSUED THIS DATE

Friday, April 13, 2007

SIGNATURE

DATE

TYPED NAME AND TITLE

Martha Lynch, CPPB
Chief Procurement Officer



Request for Quotation

Arizona Department of Commerce

QUOTATION NO.: Q045-07

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1700 W. Washington, Suite B-32

DUE DATE: **May 8, 2007**

AT 5:00 P.M. Phoenix
Local Time

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Phoenix, AZ 85007

THE TERMS AND CONDITIONS INCLUDED WITH THIS FORM SHOULD BE REVIEWED AND UNDERSTOOD BEFORE PREPARING A QUOTATION. RETURN THE QUOTATION BY THE ABOVE TIME AND DATE TO THE ABOVE ADDRESS.

DELIVERY LOCATION:

VENDOR:

VENDOR CONTACT:

TELEPHONE NUMBER:

EMAIL ADDRESS:

AGENCY CONTACT: Martha Lynch

TELEPHONE NUMBER: (602) 771-1110

FAX NUMBER: (602) 771-1202

COMMUNITY ENERGY PLANNING GRANT PROGRAM

VENDOR QUOTATION

THIS REQUEST FOR QUOTE AND RESULTING CONTRACT CAN NOT GO OVER \$50,000

LINE NO.	COMMODITY DESCRIPTION	TOTAL SERVICE COST
1	COMMUNITY ENERGY PLANNING GRANT PROGRAM	\$

Quotation may be Faxed to (602) 771-1202 on for before the due date noted at the top of this page.

THIS SECTION MUST BE COMPLETED BY VENDOR

DELIVERY CAN BE MADE _____ CALENDAR DAYS AFTER RECEIPT OF ORDER. :

Signature

Date

Name and Title



Offer and Acceptance

Arizona Department of Commerce Procurement Office

Suite B-32

1700 W. Washington

Phoenix, AZ 85007

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OFFER

TO THE STATE OF ARIZONA:

The Undersigned hereby offers and agrees to furnish the material, service or construction in compliance with all terms, conditions, specifications and amendments in the Solicitation and any written exceptions in the offer. Signature also certifies Small Business status.

Arizona Transaction (Sales) Privilege Tax License No.:

For clarification of this offer, contact:

Name:

Email

Phone:

Federal Employer Identification No.:

Town or City Name

Signature of Person Authorized to Sign Offer

Address

Printed Name

City

State

Zip

Title

CERTIFICATION

By signature in the Offer section above, the bidder certifies:

1. The submission of the offer did not involve collusion or other anti-competitive practices.
2. The bidder shall not discriminate against any employee or applicant for employment in violation of Federal Executive Order 11246, State Executive Order 99.5 or A.R.S. §§ 41-1461 through 1465.
3. The bidder has not given, offered to give, nor intends to give at any time hereafter any economic opportunity, future employment, gift, loan, gratuity, special discount, trip, favor, or service to a public servant in connection with the submitted offer. Failure to provide a valid signature affirming the stipulations required by this clause shall result in rejection of the offer. Signing the offer with a false statement shall void the offer, any resulting contract and may be subject to legal remedies provided by law.
4. **The bidder certifies that the above referenced organization ___is/___is not a small business with less than 100 employees or has gross revenues of \$4 million or less.**

ACCEPTANCE OF OFFER

The Offer is hereby accepted.

The Contractor is now bound to sell the materials or services listed by the attached contract and based upon the solicitation, including all terms, conditions, specifications, amendments, etc., and the Contractor's Offer as accepted by the State.

This contract shall henceforth be referred to as Contract No. _____. The Contractor has been cautioned not to commence any billable work or to provide any material or service under this contract until Contractor receives purchase order, contract release document or written notice to proceed.

State of Arizona

Awarded this

day of

20

Chief Procurement Manager



Instructions for Quotations

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1. PREPARATION OF QUOTATION:

- a. Erasures, interlineations or other modifications in the quotation shall be initialed in original ink by the authorized person signing the Vendor Offer.
- b. In case of error in the extension of prices in the quotation, unit price shall govern. No quotation shall be altered, amended or withdrawn after the specified quotation due time and date.
- c. Periods of time, stated as a number of days, shall be calendar days.
- d. It is the responsibility of all Offerors to examine the entire Request For Quotation package and seek clarification of any requirement that may not be clear and to check all responses for accuracy before submitting a quotation.

2. INQUIRIES:

Any question related to a Request For Quotation shall be directed to the Procurement Specialist whose name appears on the front. The offeror shall not contact or ask questions of the department for which the requirement is being procured. Questions should be submitted in writing when time permits. Any correspondence related to a solicitation should refer to the appropriate solicitation number, page and paragraph number.

3. LATE QUOTATION:

Late Quotations shall not be considered (see A.R.S. 41-2533, Rule R2-7-C307.B).

4. WITHDRAWAL OF QUOTATION:

At any time prior to a specified solicitation due time and date a Bidder (or designated representative) may withdraw the Quotation. Facsimiles, telegraphic or mailgram withdrawals shall be considered.

5. OPENING:

This is an informal quotation which will not be read at a public opening; however, the information may be publicly reviewed after an award.

6. PAYMENT:

In accordance with Arizona Revised Statute § 35-342, any agency which purchases or procures goods and services from a nongovernmental entity on account shall pay the account in full within thirty days after receipt of goods or services and correct notice of amount due in writing to the agency or shall pay interest on the outstanding balance at the rate of ten per cent per annum (as prescribed in § 44-1201) until the account is paid in full, unless a good faith dispute exists as to the agency's obligation to pay all or a portion of the account.

8. TAXES:

The State will pay any applicable State of Arizona transaction privilege tax and any other applicable state or local taxes on the services rendered or products supplied. No payment shall be made for any personal property taxes levied on vendor or any taxes levied on employee's wages. Applicable taxes shall be shown separately on any invoice and such sums shall be due and payable to vendor upon delivery. If claiming a tax exemption, State will provide vendor with valid tax exemption certificates. Arizona transaction privilege and use taxes shall not be considered when evaluating Offers.

9. AWARD OF CONTRACT:

- a. Unless the Bidder states otherwise, or unless otherwise provided within the Request For Quotation, the State reserves the right to award by individual line item, by group of line items, or as a total, whichever is deemed most advantageous to the State.
- b. Notwithstanding any other provision of the Request For Quotation, the State reserves the right to:
 - (1) Waive any immaterial defect or informality; or
 - (2) Reject any or all quotations, or portions thereof; or
 - (3) Reissue a Request For Quotation.
- c. A response to a Request For Quotation is an offer to contract with the State based upon the terms, conditions and specifications contained in the State's Request For Quotation. Quotations do not become contracts unless and until they are accepted by an authorized procurement officer. A contract has its inception in the award document, eliminating a formal signing of a separate contract. For that reason, all of the Terms and Conditions of the procurement contract are contained in the Request For Quotation, unless any of the Terms and Conditions are modified by a contract amendment (SPO Form 217), or by mutually agreed Terms and Conditions in the contract documents.



Instructions for Quotations

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10. **COST OF QUOTATION PREPARATION:** The State shall not reimburse the cost of developing, presenting or providing any response to this solicitation. Offers submitted for consideration should be prepared simply and economically, providing adequate information in a straightforward and concise manner.
12. **PUBLIC RECORD:** All quotations submitted in response to this Request For Quotation shall become the property of the State and shall become a matter of Public Record available for review, subsequent to the award notification, as provided for by the Arizona Procurement Code.
13. **INCORPORATION BY REFERENCE:** The State hereby incorporates by reference the Uniform Terms and Conditions, and the Uniform Instructions to Offerors. A copy of the text may be found at AZSPO.az.gov. If the offeror would prefer a hard copy, please contract the State Procurement Office at 100 S. 15th Avenue.



Special Terms and Conditions

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1. **Term of Contract:** The term of the contract shall commence upon award and shall remain in effect for a period of determined by the proposal timeline unless canceled, terminated or extended by amendment as otherwise provided herein.
2. **Key Personnel:** It is essential that the Contractor provide an adequate staff of experienced personnel, capable of and devoted to the successful accomplishment of work to be performed under this contract. The Contractor must assign specific individuals to the key positions. Once assigned to work under the contract, key personnel shall not be removed or replaced without the prior written approval of the using Agency.
3. **Amendments:** Any change in the contract including the Scope of Work described herein, whether by modification or supplementation, must be accomplished by a formal contract amendment signed and approved by and between the duly authorized representatives of the contractor and the Commerce Procurement Office of the State of Arizona. Any such amendment shall specify an effective date, any increases or decreases in the amount of the contractors' compensation if applicable and entitled as an "Amendment", and signed by the parties identified in the preceding sentence. The contractor expressly and explicitly understands and agrees that no other method and/or no other document, including correspondence, acts, and oral communications by or from any person, shall be used or construed as an amendment or modification or supplementation to the contract.
4. **Ownership of Materials:** All materials and documents created under this contract shall become the property of the State of Arizona.
5. **Acknowledgement of Support** - All reports, maps, and other documents completed, as part of this contract other than documents exclusively for internal use by the Arizona Department of Commerce shall acknowledge the assistance of the Arizona Department of Commerce.
6. **Restrictions** - Any expenditure incurred during the solicitation preparation or any other activities associated with the application that occurs prior to the effective date of an executed Agreement cannot be paid for with this award money.
7. **Americans with Disabilities Act**
People with disabilities may request a reasonable accommodation such as a sign language interpreter by contacting Martha Lynch at (602) 771-1110. Requests should be made as early as possible to allow time to arrange the accommodation.
8. **Confidential Information**
 - A. If a person believes that a bid, proposal, offer, specification, or protest contains information that should be withheld, a detailed statement advising the procurement officer of this fact shall accompany the submission and the information shall be so identified wherever it appears.
 - B. The information identified by the person as confidential shall not be disclosed until the director makes a written determination.
 - C. The director shall review the statement and information and shall determine in writing whether the information shall be withheld.
 - D. If the director determines to disclose the information, the director shall inform the bidder in writing of such determination.
9. **Suspension or Debarment Certification**
By signing the offer section of the Offer and Acceptance page, SPO form 203, the bidder or offeror certifies that the firm, business or person submitting the bid or offer has not been debarred, suspended or otherwise lawfully precluded from participating in any public procurement activity with any federal, state or local government. Signing the offer section without disclosing all pertinent information about a debarment or suspension shall result in rejection of the bid or offer or cancellation of a contract. The state also may exercise any other remedy available by law.
10. **Suspension or Debarment Status**



Special Terms and Conditions

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If the firm, business or person submitting this bid or offer has been debarred, suspended or otherwise lawfully precluded from participating in any public procurement activity with any federal, state or local government, the bidder or offeror must include a letter with its bid or offer setting forth the name and address of the governmental unit, the effective date of the suspension or debarment, the duration of the suspension or debarment. Failure to supply the letter or to disclose in the letter all pertinent information regarding a suspension or debarment shall result in rejection of the bid or offer or cancellation of a contract. The state also may exercise any other remedy available by law.

11. **Subcontracts:** The contractor may, with the consent of the State, enter into written subcontract(s) for performance of certain of its functions under the contract. The Commerce Procurement Office prior to the effective date of any subcontract must approve subcontractors in writing.
 - 11.1 No subcontract, which the contractor enters into with respect to performance under the contract, shall in any way relieve the contractor of any responsibility for performance of its duties.
 - 11.2 The contractor shall give the Commerce Procurement Office immediate notice in writing by certified mail of any action or suit filed and prompt notice of any claim made against the contractor by any subcontractor or vendor which in the opinion of the contractor may result in litigation related in any way to the contract with the State.
12. **Multiple Awards:** In order to ensure adequate coverage of the requirements multiple awards may be made.
13. **Audit of Records:** Pursuant to A.R.S. § § 35-214 and 35-215, the Contractor shall retain and shall contractually require each subcontractor to retain all data, books and other records ("records") relating to this Contract for a period of five years after completion of the Contract. All records shall be subject to inspection and audit by the State at reasonable times. Upon request, the Contractor shall produce the original of any or all such records..
14. **Conflict of Interest:** No person preparing or assisting in the preparation of specifications, plans or scopes of work shall receive any direct benefit from the utilization of those specifications, plans or scopes of work.
15. **Arbitration:** The parties to this Contract agree to resolve all disputes arising out of or relating to this Contract through arbitration, after exhausting applicable administrative review, to the extent required by A.R.S. § 12-1518 except as may be required by other applicable statutes.



Special Instructions to Offerors

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Purpose

Pursuant to provisions of the Arizona Procurement Code §§ 41-2501 et seq., the Commerce Procurement Office intends to establish a contract to incorporate energy planning into a communities overall planning process.

Descriptive Literature

All offers must include complete manufacturer's descriptive literature regarding the software. Literature shall be sufficient in detail in order to allow full and fair evaluation of the offer submitted. Failure to include this information may result in the offer being rejected.

Electronic Documents

The State of Arizona may provide an electronic version of this procurement document. Any unidentified alteration or modification to the original document (or to any Exhibit contained therein) issued by the State shall be null and void. In those instances where modifications are identified, the original document issued by the State shall take precedence. As provided in the Uniform Instructions to Offerors, section 3.D., the recipient of any electronic document is responsible for clearly identifying any and all changes or modifications to a document upon submission to the State. An original document is on file with the Commerce Procurement Office.

Offer and Acceptance

In order to allow for an adequate evaluation, the state requires an offer in response to this solicitation to be valid and irrevocable for 30 days after the opening time and date.

Withdrawal of Quotation

At any time prior to a specified solicitation due time and date, a Bidder (or designated representative) may withdraw the Quotation. Facsimiles, telegraphic or mailgram withdrawals will/shall be considered.

Evaluation

In accordance with the Arizona Procurement Code 41-2535, procurements not exceeding an aggregate amount of fifty thousand dollars, awards shall be made to the responsible bidder whose proposal is determined in writing to be the most advantageous to the State and is in conformance with all Terms and Conditions and all other RFQ requirements based on the following criteria which are listed in the relative order of importance:

ENERGY PLAN COMPONENT PROVIDED
IMPLEMENTATION PLAN PROVIDED
BUDGET CREATIVITY OF ENERGY AND IMPLEMENTATION PLANS

Preparation of Quotation

- a. Submit one original, clearly labeled "Original" and three copies of the response to the RFQ. The response is to contain a valid ink signature on the Offer and Acceptance Form binding the offeror to provide the services listed in the contract at the price quoted and indicate compliance with the terms, conditions and requirements of the RFQ.
- b. Submission Requirements – The Offeror shall include the following:
 1. A completed and signed page 1 and 2 of this RFQ.
 2. **Completed Application;** ENERGY PLAN PROVIDED - Provide a detailed narrative addressing the method by which the Offeror will perform the services described in the Scope of Work section. General Requirements, of this RFQ. Identify what your plan is, and the potential outcomes of this project? Provide a bar chart or other type of progress chart to illustrate the interrelationship and scheduling of the major operation phases (tasks) of the plan. Milestones such as working paper submittals, meetings, and presentations must be depicted.
 3. **IMPLEMENTATION PLAN** -.. Provide a detailed narrative addressing the method by which the Offeror will Implement the services described in the Scope of Work section. General Requirements, of this RFQ. Identify how your plan will be accomplished. Provide a bar chart or other type of progress chart to illustrate the interrelationship and scheduling of the major operation phases (tasks) of the plan. Milestones must be depicted.



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4. BUDGET CREATIVITY OF PLAN AND IMPLEMENTATION - Enter the inclusive Total Budget being requested these plans. The cost is to cover all labor, fees, charges, expenses, travel, supplies, equipment and other item or activity used by the contractor to provide the services required. If applicable, please specify for what the other funds are paying. Please provide a narrative on how creative the plan is.



SCOPE OF WORK

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1. INTRODUCTION

The Arizona Department of Commerce is soliciting applications from Arizona cities, towns, counties, improvement districts (no schools), and Indian tribes with populations under 70,000 to competitively obtain funds to incorporate energy planning into the communities overall planning process. \$45,000 will be provided for this round of grants.

2. BACKGROUND

2.1. The purpose of the Community Energy Planning Grant Program is to assist communities to begin the process to develop an energy plan that will lay the ground work for building a sustainable energy future. The Energy Planning funds may be used for the various components of a comprehensive energy plan including but not limited to: an inventory of current energy sources and costs, an inventory of current energy usage and to project future trends, assessing opportunities for improving usage efficiencies, assessing opportunities for developing local renewable supplies or summarizing the findings in preparation for goal-setting and policy-making.

3. GENERAL REQUIREMENTS

- 3.1. Funding is available do not exceed \$15,000 per request. This does not require a match.
- 3.2. Any expenditures incurred during the grant application preparation or any other activities associated with the CEPG that occurs prior to the effective date of an executed Grant Agreement **cannot** be paid for with grant money nor can it be used as a local match.
- 3.3. Develop a component of a energy plan including but not limited to:
- 3.3.1. An inventory of current energy sources and costs
 - 3.3.2. An inventory of current energy usage and projected future trends
 - 3.3.3. Assessing opportunities for improving usage efficiencies
 - 3.3.4. Assessing opportunities for developing local renewable supplies
 - 3.3.5. Summarizing the findings in preparation for goal-setting and policy-making.

4. DELIVERABLES

- 4.1. Progress reports will be required of awardees to document the status of the project and grant expenditures. The reports will be due quarterly, and will be described in the grant agreement with each awardee. Once the project is completed, a final report must be provided to the Department of Commerce within 30 days.
- 4.2. The component of the plan, ordinance, or other project document must be provided to the Department of Commerce upon completion and upon each update thereafter.



APPLICATION ENERGY PLANNING GRANT

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Please answer all questions completely and submit one original and three copies of the application and all supporting materials by Tuesday May 8, 2007 at 5:00 p.m. Please be brief and concise when answering questions.

I. SCOPE OF WORK – ENERGY PLAN

A. PROPOSED PROJECT

1. What are the energy planning needs and issues currently faced by the community / county?
2. What is the proposed planning project for which funding is requested? (e.g. an inventory of current energy sources and costs, an inventory current energy usage and project future trends, assessing opportunities for improving usage efficiencies, assessing opportunities for developing local renewable supplies or summarizing the findings in preparation for goal-setting and policy-making) Please list the deliverables anticipated as a result of this project (such as a plan document, certain plan elements, efficiencies assessments, etc.).



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B. IMPLEMENTATION PLAN:

1. Describe, in detail, the specific process to be utilized to complete the proposed project (please attached additional sheets if necessary).

2. In the table below, list staffing resources to be utilized for development of the Implementation Plan. Attach a resume for each individual.

Name	Title
1.	
2.	
3.	
4.	
5.	
6.	
7.	
8.	
9.	
10.	
11.	
12.	



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13.

C. TASKS:

On the table below, identify and breakdown all anticipated activities and tasks to complete the proposed project, and the corresponding number of hours for each task. These are estimates only. Identify the person(s) responsible for completion of each general task. If a consultant will be used, specifically outline the tasks they will perform. If the consultant has not yet been hired, submit a copy of the draft RFP that will be utilized. The RFP should also describe the hiring process used by the community/county. (Completion of this table will make it easier to prepare the budget required. Please attach additional sheets if necessary.

Tasks	Hours Per Task	Hourly Wage	Name of Responsible Person	Title
1.				
2.				
3.				
4.				
5.				
6.				
7.				
8.				
9.				
10.				
11.				
12.				
13.				
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16.				
17.				
18.				
19.				
20.				



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D. TIMETABLE:

Develop an estimated schedule that lists tasks and indicate the amount of time it will take to complete the task. Please attach additional sheets to describe the schedule if necessary.

- Please indicate all anticipated public workshops, meetings, etc., by an asterisk (*).

[illegible]



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IV. BUDGET CREATIVITY FOR ENERGY AND IMPLEMENTATION PLAN:

A. What is the proposed total cost of the proposed project?

\$ _____

B. How much funding assistance are you requesting? Remember, there is a \$10,000 maximum for the Department of Commerce grants.

C. How is your plan using the Grant funds in a creative way



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DOCUMENTATION

Please attach to the application form a Council/Board passed resolution showing support for the proposed project and a commitment to develop and/or implement the proposed project to further community/county goals and desires. If the hearing schedule precludes a resolution from being passed prior to the application submittal, please attach a draft and forward the final resolution upon adoption.

One original and three (3) copies of the Grant Application and ALL supporting materials MUST be received by 5:00 p.m., Tuesday, May 8th, 2007, at the address below.

For additional information regarding this application please contact:

Martha Lynch, CPPB
Chief Procurement Officer
Arizona Department of Commerce
1700 West Washington, Suite B-32
Phoenix, Arizona 85007
(602) 771-1110
MarthaL@azcommerce.com

Before submitting your Community Energy Planning Grant Application to the Arizona Department of Commerce, please make sure you have included or completed the following items. If these items are not complete, your application could be disqualified.

CHECK LIST	?
1. One original and three (3) copies of the completed grant application.	
2. Council/Board Resolution (or draft thereof) showing support	
3. Completed Application	
4. Offer and Acceptance sheet filled out.	